THE INDIAN EXTRADITION ACT, 1903 (XV OF 1903).*

G. N., J. D., No. 5071, dated 20th June 1918 (B. G., Pt. I, p. 1199). Ss. 4 & 10

The Governor in Council is pleased to invest all stipendiary Presidency Magistrates in the City and Island of Bombay with the powers to issue warrants of arrest referred to in sections 4 and 10 of the Indian Extradition Act, 1903 (XV of 1903).

G. N., J. D., No. 3722, dated 2nd July 1909 (B. G., Pt. I, p. 1175). S. 10

The Governor in Council is pleased, under sub-section (*1*) of section 10 of the Indian Extradition Act, 1903 (XV of 1903), to invest the Magistrates of the Second Class in the districts specified below, with the power to issue warrants of arrest under the said sub-section :—

District.	Taluka.	District.	Taluka.
Ahmednagar ..	Jamkhed.	East Khandesh ..	Chalisgaon.
Do. ..	Nevasa.	Do. ..	Jamner.
Do. ..	Kopergaon.	Do. ..	Yaval.
East Khandesh ..	Chopda.	Do. ..	Raver.
Do. ..	Pachora.		

G. N., J. D., No. 1508, dated 16th March 1910 (B. G., Pt. I, p. 424). S. 10

The Governor in Council is pleased, under sub-section (*1*) of section 10 of the Indian Extradition Act, 1903 (XV of 1903), to invest the Magistrates of the Second Class in the talukas specified below in the district of Ahmednagar, with the power to issue warrants of arrest under the said sub-section :—

Nagar, Rahuri, Akola, Shevgaon, Parner, Shrigonda and Karjat.

G. N., J. D., No. 4655, dated 24th June 1912 (B. G., Pt. I, p. 982). S. 19

Under the provisions of section 19 (*c*) of the Indian Extradition Act, 1903, the Governor in Council is pleased to empower the Chief Presidency Magistrate of the City of Bombay to exercise the powers conferred on a " Magistrate " by the Fugitive Offenders Act, 1881 (44 and 45 Victoria, Chapter 69).

* For entrustment of functions of Central Government under sections 3 (*1*), (*4*), (*6*), (*7*) and (*8*); 4 (*1*) and (*2*); 5; 8A; 9; 10 (*1*), (*2*) and (*3*); 11; 15; 19 clause (*c*) and 20 see G. of I. External Affairs Dept. Notn. No. 67-X, 1st April 1938, under section 124 (*1*) of the Govt. of India Act, 1935.

execution requiring him before making the arrest if the person to be arrested is on duty, to acquaint an official superior of such person with the fact that the arrest is about to be made.

(*iii*) With reference to a person in the employment of a Railway Company, the words " official superior " shall be deemed to include a railway official of the rank of Station Master, Foreman or Inspector, but not one of lower rank. (*Vide Government Gazette* for 1896, Part I, page 313.)

S. 55 (2) **G. N., J. D., No. 3876, dated 11th July 1910 (B. G., Pt. I, p. 1012).**

Amended by G. N., H. D., No. 8918/3, dated 28th November 1940.

In exercise of the powers conferred by sub-section (*2*) of section 55 of the Code of Civil Procedure, 1908, the Governor in Council is pleased to direct that before a warrant is issued by a Civil Court for the arrest of an employee of the Telegraph Department, notice shall be given to the Superior Officer designated in column 2 of the sub-joined list for the period specified in column 3 of the list.

Division to which the employee belongs.	Superior Officer to be advised.	Period of notice.
Bombay	Superintendent of Bombay Division, Bombay	7 days.
Belgaum	Superintendent of Belgaum Division, Belgaum.	7 days.
Ahmedabad	Superintendent of Ahmedabad Division, Ahmedabad.	7 days.
Bombay Office ..	Superintendent in Charge Bombay Office, Bombay.	3 days.

S. 57 **G. N., H. D., No. 8194/2, dated 25th August 1931 (B. G., Pt. I, p. 2014).**

In exercise of the powers conferred by section 57 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of the orders contained in Government Resolution, Judicial Department, No. 6298, dated the 12th October 1877, as modified by Government Resolution, Judicial Department, No. 520, dated the 26th January 1881, the Governor in Council is pleased to direct that for the purpose of subsistence allowance, judgment-debtors according to their social status, education and mode of living, shall be divided into the following classes, namely :—

(1) The Superior Class, and

(2) The Ordinary Class,

and the subsistence allowance shall be paid in accordance with the scales fixed as follows :—

Superior Class—from Re. 1–0–0 to Rs. 1–8–0 per day in the whole of the Bombay Presidency.

Ordinary Class.—from annas 8 to Re. 1 per day in the City of Bombay and annas 6 to annas 12 per day, elsewhere in the whole Bombay Presidency.

S. 60 (1) (l) **G. N., H. D., No. 9657/4, dated 5th December 1945 (B. G., Pt. IV-A, p. 219).**

Amended by G. N., H. D., No. 9657/4, dated 16th April 1951.

In exercise of the powers conferred by clause (*l*) of the proviso to sub-section (*1*) of section 60 of the Code of Civil Procedure, 1908 (V of 1908), the Government of

Bombay is pleased to declare that the following allowances forming part of the emoluments of any person in the service of the Government of Bombay shall be exempt from attachment in execution of a decree, namely :—

(*i*) House-rent allowances.
(*ii*) Compensatory allowances.
(*iii*) Travelling allowances.
(*iv*) Allowances granted as compensation on account of higher cost of living in localities considered by the Government to be expersive localities, including hill stations.
(*v*) Allowances granted on account of uniforms and rations.
(*vi*) Dearness allowance, war-allowance and cost of living allowance.

G. N., J. D., No. 1209, dated 6th February 1920 (B. G., Pt. I, p. 469). **S. 70 (1)**

Amended by G. N., H. D., No. 11530, dated 8th Dec. 1920.
Amended by G. N., H. D., No. 1315, dated 13th June 1924.
Amended by G. N., H. D., No. 6717, dated 21st Jan. 1925.
Amended by G. N., H. D., No. 9351, dated 19th Feb. 1926.
Amended by G. N., H. D., No. 3636/3, dated 22nd May 1934.
Amended by G. N., H. D., No. 8161/3, dated 23rd Oct. 1936.
Amended by G. N., H. D., No. 1452/4, dated 16th Aug. 1939.
Amended by G. N., H. D., No. 1452/4, dated 19th Sept. 1940.
Amended by G. N., H. D., No. 5782/4, dated 6th April 1942.
Amended by G. N., H. D., No. 5782/4, dated 20th November 1942.

In exercise of the powers conferred by sub-section (*1*) of section 70 of the Code of Civil Procedure, 1908 (V of 1908), hereinafter referred to as the said Code, and in supersession of the rules published in Government Notification in the Judicial Department, No. 499, dated the 24th January 1880, as subsequently amended, the Governor in Council is pleased to prescribe the following rules, regulating the execution of decrees transferred to the Collector for execution under the provisions of section 68 of the said Code in regard to :—

(*a*) the transmission of such decrees from the Court to the Collector, the procedure of the Collector and his subordinates in executing the same, and the return of such decrees by the Collector to the Court ;

(*b*) the conferring upon the Collector or any gazetted subordinate of the Collector certain powers, which the Court might have exercised in the execution of such decrees if the execution thereof had not been transferred to the Collectors ;

(*c*) appeals against certain orders passed by officers subordinate to the Collector.

1. (*a*) *Transmission of decree to the Collector.*—If the Court is satisfied that the decree is one to which this notification applies, it shall cause a copy thereof to be forwarded to the Collector by post, or in such other manner as shall be most convenient.

(*b*) Along with the said copy the Court shall send—

(*i*) a statement showing clearly the extent, if any, to which the decree has been already executed, and the portion of the decree still to be executed ;

(*ii*) a copy of the application for execution of the decree, and of the order for sale, if any, made thereon ;

(*iii*) any extracts from the record of rights or register of mutations relating to the property that have been furnished to the Court.

Note.—Copy of the judgment should be sent only on the requisition of the executing authority in any particular case or class of cases.

(*c*) The aforesaid documents shall be prepared at the cost of the parties.

2. *Transfer of decree by Collector to subordinate officer.*—On receipt of the decree and of the other documents mentioned in rule 1, the Collector may either proceed to execute it himself, or may transfer it for execution, subject to his supervision and control, to any of his subordinates not lower in rank than a Mahalkari.

3. *Hearing of parties : Notice of hearing ; Production of documents ; Order for execution.*—The Collector, or the officer to whom the Collector so transfers the decree, shall without delay appoint a day for hearing any representation which the parties or any of them may desire to make, as to the manner in which the decree should be executed and shall cause a written notice to be served on each of the parties to the decree of the day so fixed; and shall also require the judgment-debtor to produce all title-deeds and other documents affecting the property in question which may be in his possession or power ; and shall, after such enquiry as he considers necessary, proceed according to the methods prescribed in the Third Schedule to the said Code, as may be appropriate in the circumstances of the case.

4. *Further attendance of parties.*—The Collector or other officer aforesaid may from time to time, by similar written notice, require the attendance of the parties to the decree, or any of them, for the purpose of ascertaining their wishes, or of obtaining any information which he may consider necessary to enable him to provide satisfactorily for the execution of the decree ; and if any party does not attend in pursuance of any such notice, the Collector or other officer aforesaid shall decide the matter in his absence, and the party so failing to attend shall not afterwards be entitled to be heard with respect to such matter.

5. *Service of notice.*—(*a*) Every such notice, and every notice which the Collector shall issue under paragraph 8 of the Third Schedule to the said Code to the judgment-debtor or his representative, may be served in the manner prescribed by section 191 of the Bombay Land Revenue Code, 1879, or by forwarding the same to the Court to be served upon the pleader, if any, of the party to whom such notice is addressed.

(*b*) Except as otherwise provided, every other notice issued under these rules shall be served in the manner prescribed by section 191 of the Bombay Land Revenue Code, 1879.

6. *Form of orders in execution : Diary of Proceedings.*—All orders which the Collector or other officer aforesaid shall pass in respect of the execution of the decree, or of the management or sale of the immoveable property of the judgment-debtor, shall be made in writing, and shall be dated and signed by such officer and a diary of the proceedings shall be kept in the language of the district and in conformity with the instructions* relating thereto.

7. *Public notice prior to sale to claimants to property : Production of documents.*—(*a*) Previous to proceedings to sell any property, the Collector or other officer aforesaid shall, unless he has already proceeded under paragraph 3 or paragraph 5 of

* Form No. 9 at page 466 of Volume II of the Civil Manual issued by the High Court of Bombay for the guidance of Civil Courts and officers subordinate to it.

the Third Schedule to the said Code, publish a notice in the language of the district, calling upon all persons having rights in or charges on or claims to the said property or any part thereof, to submit on or before a date, which shall be stated in such notice and which shall not be less than six weeks after the date of such notice, a statement of such right, charge or claim, and to produce the documents, if any, on which such right, etc., is based.

(*b*) Such notice shall be published in the manner prescribed in sub-paragraph (2) of paragraph 3 of the Third Schedule to the said Code.

(*c*) If in the opinion of the Collector or other officer aforesaid any statement so produced is not sufficiently precise or clear, or if it shall appear to the Collector or such other officer that all documents in the claimant's possession or power relating to the property to be sold have not been produced, he may refuse to receive such statement, and may give or refuse, as he deems fit, time for the production of a fresh statement.

8. *Documents to be treated as confidential and returned.*—The Collector or other officer aforesaid shall peruse the documents of title which any such claimant produces; but such documents shall not, without a special order the reasons for which must be recorded, be handed for perusal to any other person than the Collector or other officer, aforesaid, and his clerk, reader or interpreter: and they shall, after such perusal, be restored to the persons who have produced them with an endorsement, signed by the Collector or other officer aforesaid on each, of the date on which and the purpose for which they were presented and of the date of return and of the person to whom they are returned.

9. *Procedure on sale.*—(*a*) Every sale of property shall be held before the Collector or other officer aforesaid or before any revenue officer on pay of not less than Rs. 60 per mensem specially nominated by the Collector or other officer aforesaid in this behalf. Such special nominations shall be made only in talukas or mahals where the Collector has sanctioned the adoption of this procedure for administrative reasons:

Provided that no sale of any agricultural land shall be held during the period from the 15th June to 15th October.

(*b*) Except as is otherwise provided by the said Code every such sale shall be proclaimed and held in the manner prescribed by the rules for the time being in force relating to the sale of immovable property in realization of arrears of land revenue.

(*c*) Every proclamation of any such sale shall contain, in addition to the particulars required by the said rules—

(*i*) a list of all claims of which statements have been drawn up under paragraph 4 or 5 of the Third Schedule to the said Code or have been duly submitted to and accepted by the Collector or other officer aforesaid under rule 7 and which shall appear to the Collector or such other officer to be *prima facie* honest and reasonable;

(*ii*) a list of all claims appearing in the record of rights, or the register of mutations;

(*iii*) a caution that no guarantee is given either of the judgment-debtors' title or of the validity of any claims preferred by third parties.

10. *Title-deeds of judgment-debtor.*—The Collector or other officer aforesaid shall retain the title-deeds and other documents produced by the judgment-debtor under rule 3, and if the whole of the property to which they relate is sold, shall hand them over to the purchaser.

11. *Decree-holder not to bid at sale.*—No holder of a decree in execution of which property is sold shall, without the express permission of the Collector or other officer aforesaid, being a gazetted officer, bid for or purchase the property.

12. *Certificate of Sale.*—When any sale has been finally completed, the Collector or other officer aforesaid shall give to the purchaser a certificate of sale in Form No. 38 of Appendix E to the First Schedule to the said Code *mutatis mutandis*.

13. *Delivery of possession to purchaser at sale.*—When the property sold is in the occupancy of the judgment-debtor or of some person on his behalf or of some person claiming under a title created by the judgment-debtor subsequent to the attachment of such property or of a tenant or other person entitled to occupy the same and a certificate in respect thereof has been granted under the last preceding rule, the Collector or other officer aforesaid shall, on application by the purchaser, order delivery to be made by putting the purchaser or any person whom he may appoint to receive delivery on his behalf in possession of the property by proclaiming to the occupant by beat of drum or in such other manner as may be customary at some convenient place that the interest of the judgment-debtor has been transferred to the purchaser, and, unless the occupant is a tenant or other person entitled to occupy the property, if need be, by removing any person who refuses to vacate the property :

Provided that, in the case of any agricultural land, if at the time the sale was held there was a standing crop on such land, an order for delivery of possession of such land shall not be made until after the said crop has been reaped.

Explanation.—For the purposes of this rule "standing crop" shall not include "fruit-bearing trees".

13A. *Resistance or obstruction to possession of immoveable property.*—(*i*) Where the holder of a decree for the possession of immoveable property or the purchaser of any such property sold in execution of a decree is resisted or obstructed by any person in obtaining possession of the property, he may make an application to the Collector complaining of such resistance or obstruction.

(*ii*) The Collector shall fix a day for investigating the matter and shall summon the party against whom the application is made to appear and answer the same.

13B. *Resistance or obstruction by judgment-debtor.*—Where the Collector is satisfied that the resistance or obstruction was occasioned without any just cause by the judgment-debtor or by some other person at his instigation, he shall direct that the applicant be put into possession of the property, and where the applicant is still resisted or obstructed in obtaining possession, the Collector may also, at the instance of the applicant, order the judgment-debtor, or any person acting at his instigation, to be detained in the civil prison for a term which may extend to thirty days.

13C. *Resistance or obstruction by bona fide claimant.*—Where the Collector is satisfied that the resistance or obstruction was occasioned by any person (other than the judgment-debtor) claiming in good faith to be in possession of the property on his own account or on account of some person other than the judgment-debtor, the Collector shall make an order dismissing the application.

13D. *Dispossession by decree-holder or purchaser.*—(*i*) Where any person other than the judgment-debtor is dispossessed of immoveable property by the holder of a decree for the possession of such property or, where such property has been sold in execution of a decree, by the purchaser thereof, he may make an application to the Collector complaining of such dispossession.

(*ii*) The Collector shall fix a day for investigating the matter and shall summon the party against whom the application is made to appear and answer the same.

13E. *Bona fide claimant to be restored to possession.*—Where the Collector satisfied that the applicant was in possession of the property on his own account or on account of some person other than the judgment-debtor, he shall direct that the applicant be put into possession of the property.

13F. *Rules not applicable to transferee lite pendente.*—Nothing in rules 13C and 13E shall apply to resistance or obstruction in execution of a decree for the possession of immoveable property by a person to whom the judgment-debtor has transferred the property after the institution of the suit in which the decree was passed or to the dispossession of any such person.

13G. *Orders conclusive subject to regular suit.*—Any party not being a judgment-debtor against whom an order is made under rule 13B, rule 13C or rule 13E may institute a suit to establish the right which he claims to the present possession of the property; but, subject to the result of such suit (if any), the order shall be conclusive.

14. *Return of decree to Court.*—When execution of the decree has been as far as possible completed and the balance, if any, of all monies which have come to his hands disposed of in accordance with paragraph 9 of the Third Schedule to the said Code, the Collector shall return the papers received by him under rule 1 together with the execution proceedings to the Court by post or in such other manner as shall be most convenient.

15. *Powers of executing officer.*—The following powers are conferred on Collectors and on gazetted officers subordinate to a Collector to whom a decree is transferred under rule 2 :—

(*a*) the power specified in sub-rule (1) of rule 72 of Order XXI of the First Schedule to the said Code : Provided that the Collector or other officer aforesaid, to whom an application for such permission may be made, shall not grant such permission unless the decree-holder—

(*i*) satisfies him that the application is made in good faith, and that the judgment-debtor is not a minor ;

(*ii*) undertakes that he will not himself or through any other person bid or purchase for a sum less than such amount as the Collector or other officer granting the permission, having regard to the fair market value of the interest to be sold may determine, and that the permission shall be subject to this condition ;

(*iii*) agrees that if the decree-holder or any one on his behalf becomes the purchaser, the purchase money shall be paid to the Collector or other officer executing the decree unless the decree-holder produces a certificate under rule 85-A of Order XXI of the Civil Procedure Code that he is entitled to a set off against the purchase money.

(*b*) the powers specified in rules 83 and 86 and sub-rule (1) of rule 92 of Order XXI of the First Schedule to the said Code.

16. *Application to set aside sale.*—If any application to set aside the sale under Order XXI, rule 89, 90 or 91 of the Civil Procedure Code, and in the case of an application under rule 89, the deposit as required by that rule be made within the time limited by law to the Collector or other officer aforesaid, he shall accept such application and deposit, and forward such application and the deposit, if any, to the Civil Court, and inform the applicant accordingly.

17. *Appeals.*—(1) An appeal shall lie to the Collector against any order passed under paragraphs 7, 8 and 10 (*c*) of the Third Schedule to the said Code and rules 11, 13 and 15 of these rules by an officer subordinate to the Collector; and to the $\frac{\text{Assistant}}{\text{Deputy}}$ Collector, or to the Collector against any order passed under paragraph 10 (*a*) of the Third Schedule to the said Code by an officer subordinate to the $\frac{\text{Assistant}}{\text{Deputy}}$ Collector or by the $\frac{\text{Assistant}}{\text{Deputy}}$ Collector, respectively; subject to the provision in this sub-rule, no appeal shall lie against any order, including an order in an appeal made under this sub-rule, passed by an officer subordinate to the Collector under the provisions of the Third Schedule to the said Code or of these rules.

(2) No appeal shall lie against any order, including an order in an appeal made under sub-rule (1), passed by the Collector under the provisions of the Third Schedule to the said Code or of these rules.

S. 92 (1)

G. N., H. D., No. 6088/3 (a), dated 13th April 1935 (B. G., Pt. I, p. 697).

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Governor in Council is pleased to empower the Courts of the First Class Subordinate Judges of Ahmednagar, Ahmedabad, Dharwar, Satara, Nadiad, Bijapur, Sholapur, Belgaum and Surat as the Courts in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdictions of the said Courts.

2. The Government Notifications mentioned below are hereby cancelled :—

Government Notification, Home Department, No. 6492/2, dated the 7th January 1930.

Government Notification, Home Department, No. 964/3, dated the 1st June 1932.

Government Notification, Home Department, No. 1289/3, dated the 6th August 1932.

Government Notification, Home Department, No. 3181/3, dated the 19th June 1933.

Government Notification, Home Department, No. 3291/3, dated the 13th July 1933.

Government Notification, Home Department, No. 3563/3, dated the 9th September 1933.

Government Notification, Home Department, No. 5295/3, dated the 22nd September 1934.

Government Notification, Home Department, No. 1171/3, dated the 29th September 1934.

G. N., H. D., No. 7052/3, dated 11th November 1935 (B. G., Pt. I, p. 2105). S. 92 (1)

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Governor in Council is pleased to empower the Court of the First Class Subordinate Judge of Poona as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

G. N., H. D., No. 7065/3, dated 11th November 1935 (B. G., Pt. I, p. 2105). S. 92 (1)

Amended by G. N., H. D., No. 6510/4 (1), dated 8th June 1943.

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Governor in Council is pleased to empower the Court of the First Class Subordinate Judge, Broach and the Court of First Class Subordinate Judge, Godhra, as the Courts in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Courts.

G. N., H. D., No. 1271/4, dated 27th October 1938 (B. G., Pt. I, p. 2313). S. 92 (1)

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the First Class Subordinate Judge of Ratnagiri as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

G. N., H. D., No. 6088/3, dated 31st March 1939 (B. G., Pt. I, p. 816). S. 92 (1)

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the First Class Subordinate Judge, Jalgaon, as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

G. N., H. D., No. 4719/4, dated 16th May 1941 (B. G., Pt. IV-A, p. 102). S. 92 (1)

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the First Class Subordinate Judge of Nasik as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

S. 92 (1) **G. N., H. D., No. 8300/4, dated 14th August 1944 (B. G., Pt. IV-A, p. 117).**

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the Assistant Judge, Thana, as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

S. 92 (1) **G. N., H. D., No. 6088/3, dated 22nd November 1944 (B. G., Pt. IV-A, p. 184).**

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the First Class Subordinate Judge, Hubli, as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

S. 92 (1) **G. N., H. D., No. 1972/6, dated 14th March 1950 (B. G., Pt. I, p. 1524).**

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the Civil Judge (Senior Division), Kolhapur, as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jursidiction of the said Court.

S. 92 (1) **G. N., H. D., No. 8371/6, dated 8th February 1952 (B. G., Pt. IV-A, p. 280).**

In exercise of the powers conferred by sub-section (*1*) of section 92 of the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to empower the Court of the Civil Judge (Senior Division), Baroda, as the Court in which suits of the nature described in the sub-section may be instituted and which may dispose of such suits, provided that the whole or any part of the subject-matter of the trust to which the suit relates is situate within the local limits of the jurisdiction of the said Court.

S. 137 ***G. N., J. D., No. 1315, dated 21st February 1884 (B. G., Pt. I, p. 161).**

Under section 645 of the Civil Procedure Code and section 556 of the Criminal Procedure Code, His Excellency the Governor in Council is pleased to direct that in respect of cases arising in the revenue district of Sholapur the language of the District and Sessions Court of Sholapur-Bijapur shall be Marathi, and in respect of cases originating in the Kaladgi (hereafter to be called the Bijapur) revenue district, its language shall be Kanarese.

S. 137 (2) **G. N., H. D., No. 2433/2, dated 21st September 1927 (B. G., Pt. I, p. 2255).**

Under section 137 (*2*) of the Code of Civil Procedure, 1908 (V of 1908), the Governor in Council is pleased to declare that both Marathi and Kanarese shall be the languages of the Civil Courts at Belgaum and Chikodi in the Belgaum District.

* This notification issued under section 645 of Act XIV of 1882 (corresponding to section 137 of Act V of 1908) is kept in force by section 157 of Act V of 1908.

G. N., H. D., No. 9739/5 (I), dated the 8th February 1950 (B. G., Pt. I, p. 902). S. 137 (2)

In exercise of the powers conferred by sub-section (*2*) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare that the languages specified in column 2 of the Schedule appended hereto shall be the languages of the Courts specified against them in column 1 thereof and the scripts specified against such Courts in column 3 of the said Schedule shall be the characters in which applications to and proceedings in such Courts shall be written.

SCHEDULE.

Name of the Civil Court.	Language.	Script.
1	2	3
(1) The Court of the Civil Judge (Junior Division), Jath.	Marathi and Kannada.	Devnagari and Kannada.
(2) The Court of the Civil Judge (Junior Division), Miraj.	Marathi ...	Devnagari.
(3) The Court of the Civil Judge (Junior Division), Akalkot.	Marathi and Kannada.	Devnagari and Kannada.
(4) The Court of the Civil Judge (Junior Division), Shahapur.	Do. ...	Do.
(5) The Court of the Civil Judge (Junior Division), Ramdurg.	Kannada ...	Kannada.
(6) The Court of the Civil Judge (Junior Division), Jamkhandi.	Do. ...	Do.
(7) The Court of the Civil Judge (Junior Division,) Kundgol.	Do. ...	Do.
(8) The Court of the Civil Judge (Junior Division), Laxmeshwar.	Do. ...	Do.

G. N., H. D., No. 1250/6-II, dated 25th February 1950. S. 137 (-)

In exercise of the powers conferred by sub-section (*2*) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare Gujarati as the language of the Civil Courts, situated at places specified in column 1 of the Schedule appended hereto, in the judicial districts respectively mentioned against them in column 2 thereof, and the Gujarati script as the character in which applications to and proceedings in the said Courts shall be written.

SCHEDULE.

Place.	Judicial District.
1	2
I. 1 Dehgam	... Ahmedabad.
II. 1 Palanpur	... Banas Kantha.
2 Deesa	...
3 Dhanera	...
4 Tharad	...
5 Danta	...

SCHEDULE—*contd.*

	Place.		Judicial District.
	1		
III.	1 Baroda	...	Baroda.
	2 Dabhoi	...	
	3 Savli	...	
	4 Sankheda	...	
	5 Sinor	...	
	6 Karjan	...	
	7 Padra	...	
	8 Chhotaudepur	...	
IV.	1 Rajpipla	...	Broach.
	2 Jhagadia	...	
V.	1 Cambay	...	Kaira.
	2 Balasinor	...	
	3 Anand	...	
	4 Petlad	...	
VI.	1 Mehsana	...	Mehsana.
	2 Kadi	...	
	3 Kalol	...	
	4 Patan	...	
	5 Sidhpur	...	
	6 Vijapur	...	
	7 Visnagar	...	
	8 Chanasma	...	
	9 Radhanpur	...	
	10 Amreli	...	
	11 Kodinar	...	
	12 Okhamandal	...	
	13 Gogho	...	
VII.	1 Baria	...	Panch Mahals.
	2 Sant	...	
	3 Lunawada	...	
	4 Halol	...	
	5 Kalol	...	
VIII.	1 Himatnagar	...	Sabar Kantha.
	2 Idar	...	
	3 Sabalpur	...	
	4 Khedbrahma	...	
	5 Bayad	...	
IX.	1 Navsari	...	Surat.
	2 Vyara	...	
	3 Kathor	...	
	4 Dharampur	...	
	5 Bansda	...	

G. N., H. D., No. 9739/5-I, dated 23rd May 1950 (B. G., Pt. I, p. 2979). S. 137 (2)

Modified by G. N., H. D., No. 9739/5-I, dated 1st December 1950.

In exercise of the powers conferred by sub-section (2) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare Marathi as the language of all Civil Courts in the judicial district of Kolhapur and the Devnagari script as the character in which applications to and proceedings in the said Courts shall be written.

G. N., H. D., No. 2393/6 (1), dated 27th July 1950 (B. G., Pt. I, p. 4449). S. 137 (2)

In exercise of the powers conferred by sub-section (2) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare Hindi and Gujarati as the languages of the Court of Civil Judge (Junior Division), Abu Road, in the judicial district of Mehsana, and the Devanagari and Gujarati scripts, respectively, as the characters in which applications to and proceedings in the said Court shall be written.

G. N., H. D., No. 9739/5 (I), dated 9th October 1950 (B. G., Pt. I, p. 5986). S. 137 (2)

In exercise of the powers conferred by sub-section (2) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare—

(1) Marathi and Kannada as the languages of the Civil Courts at Karwar in respect of cases arising in the Karwar Taluka and Supa Petha and the Devanagari and Kannada scripts as the characters of the respective languages in which applications to and the proceedings in the said courts shall be written.

(2) Marathi and Kannada as the languages of the Court of the Civil Judge (Senior Division), Dharwar, in respect of cases arising in the Haliyal Taluka which lies within its jurisdiction and the Devanagari and Kannada scripts as the character of the respective languages in which applications to and proceedings in the said Court in respect of such cases shall be written.

G. N., H. D., No. 9739/5-I, dated 1st December 1950 (B. G., Pt. I, p. 7118). S. 137 (2)

In exercise of the powers conferred by sub-section (2) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in partial modification of Government Notification in the Home Department, No. 9739/5-I, dated the 23rd May 1950, the Government of Bombay is pleased to declare—

(1) Marathi and Kannada as the languages of the Court of the Civil Judge (Junior Division), Ichalkaranji, in respect of cases arising in the Hatkanangale and Shirol Talukas and the Devanagari and Kannada scripts as the characters of the respective languages in which applications to and the proceedings in the said Court shall be written; and

(2) Marathi and Kannada as the languages of the Court of the Civil Judge (Junior Division), Gadhinglaj, in respect of cases arising in the Gadhinglaj Taluka and the Devnagari and the Kannada scripts as the characters of the respective languages in which applications to and the proceedings in the said Court in respect of such cases shall be written.

S. 137 (2)

G. N., H. D., No. 9739/5-II, dated 2nd March 1951 (B. G., Pt. I, p. 1348).

In exercise of the powers conferred by sub-section (*2*) of section 137 of the Code of Civil Procedure, 1908 (V of 1908), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to declare that the languages specified in column 3 of the Schedule appended hereto shall be the languages of the Civil Courts situated at places specified against them in column 1 of the said Schedule, in the judicial districts respectively mentioned against them in column 2 thereof, and the script specified against each such place in column 4 thereof as the characters in which applications to and proceedings in such Courts shall be written.

SCHEDULE.

	Place.	Judicial District.	Language.	Script.
	1	2	3	4
1.	Savanur ...	... Dharwar ...	Kannada ...	Kannada.
2.	Alibag ...	... Kolaba ...	Marathi ...	Devanagari.
3.	Murud ...	... Do. ...	Do. ...	Do.
4.	Pali ...	... Do. ...	Do. ...	Do.
5.	Janjira ...	... Do. ...	Do. ...	Do.
6.	Bhor ...	... Poona ...	Do. ...	Do.
7.	Phaltan ...	... North Satara	Do. ...	Do.
8.	Sangli ...	... South Satara	Do. ...	Do.
9.	Mangalwedha ...	... Sholapur ...	Do. ...	Do.

S. 139 (c)

***G. N., J. D., dated 12th October 1877 (B. G., Pt. I, p. 908).**

Under the provisions of clause C of section 197 of the Code of Civil Procedure, 1877, the Honourable the Governor in Council is pleased generally to empower District Courts to appoint officers to administer oaths to declarants for the purpose of affidavits in the District Courts and the Courts subordinate to the District Courts within the meaning of section 2 of the Code.

Order V, rule 26 (b) of Schedule I.

†G. N. No. 2146/4-II, dated 30th May 1940 (B. G., Pt. IV-A, p. 778).

In pursuance of clause (*b*) of rule 26 of Order V of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), the Government of Bombay is pleased to declare that service by any Civil Court situate in the State of Johore (Malay) of any summons issued under the said Code by a Court of the State of Bombay shall be deemed to be valid service.

* This notification issued under section 197 (c) of Act X of 1877 (corresponding to section 139 (c) of Act V of 1908) is kept in force by section 157 of Act V of 1908.

† See also Notification No. 4529/2 (*1*), H. D., 17th February 1938, under section 29.

G. N., H. D., No. 8918/3, dated 4th March 1941 (B. G., Pt. IV-A, p. 45).

Order XXI, rule 48 of Schedule I.

In pursuance of Order XXI, rule 48, sub-rule (1) in the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), and in supersession of Judicial Department, Notification No. 855, dated the 10th February 1911, in so far as it relates to public officers serving in connection with the affairs of the State and servants of local authorities, the Government of Bombay is pleased to direct that notices of orders attaching the salaries or allowances of public officers and servants specified in column 1 of the Schedule hereto annexed shall be sent by Courts to the officers respectively specified against them in column 2 of the said Schedule :—

SCHEDULE.

(1)	(2)
1. Officers employed in the City of Bombay.	1. (*a*) Accountant General, Bombay, in the case of Gazetted Officers. (*b*) Heads of offices in the case of Non-Gazetted Officers.
2. Officers employed in places other than the City of Bombay.	2. (*a*) Treasury Officer of the District in the case of Gazetted Officers. (*b*) Heads of offices in the case of Non-Gazetted Officers.
3. Servants of Municipalities ..	3. (*a*) Chief Accountant in the case of the servants of the Bombay Municipality. (*b*) Chief Officer or Secretary, as the case may be, in the case of servants of other Municipalities.
4. Servants of Local Boards ..	4. The Local Fund Accountant.

G. R., L. D., No. 443-P, 11th November 1938.

Order XXVII, rule 8B of Schedule I.

Under clause (*c*) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908, the Government of Bombay is pleased to appoint Messrs. Little & Co., Solicitors to the Government of Bombay, as the Government Pleaders for the purposes of receiving processes, against the Government of Bombay issued by the High Court of Bombay.

G. N., L. D., No. 13137, dated 18th December 1939 (B. G., Pt. I, p. 3700).

Order XXVII, rule 8B of Schedule I.

In exercise of the powers conferred by clause (*c*) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Government of Bombay is pleased to appoint the Solicitor and the Assistant Solicitor to Government in the Legal Department to be Government Pleaders for the purposes of the said Order in relation to any suit by or against the Government of Bombay or against a public officer in the service of the Government of Bombay in the Court of Small Causes at Bombay.